

**ORDINANCES**

**NOVEMBER 14, 2018 BOARD AGENDA**

## **COMMISSIONERS**

**18-6965**  
**ORDINANCE AMENDMENT**

**Sponsored by**

**THE HONORABLE RICHARD R. BOYKIN, COUNTY COMMISSIONER**

**CRITERIA FOR CONVEYANCE**

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 103 Land Bank Authority, Article IV Real Property Acquisition, Management and Disposition, Section 103-53 of the Cook County Code is hereby amended as Follows:

**Sec. 103-53. Criteria for conveyance.**

Real Property shall be conveyed by the Land Bank in accordance with this Ordinance and according to criteria determined in the discretion of the Board and contained in the policies and procedures adopted by the Board. The Board may adopt policies and procedures that set forth priorities for a transferee's use of Real Property conveyed by the Land Bank, including, but not limited to, affordable housing. The Land Bank shall not convey Real Property to any Land Bank employee or their immediate family members.

**Effective date:** This Ordinance shall be in effect immediately upon adoption

Approved and adopted this 14th of November 2018.

TONI PRECKWINKLE, President  
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**BUREAU OF ASSET MANAGEMENT**  
**OFFICE OF ASSET MANAGEMENT**

**18-6797  
RESOLUTION**

**Sponsored by**

**THE HONORABLE TONI PRECKWINKLE,  
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

**AUTHORIZING THE LOAN OF A PIECE OF ART FROM THE  
DUSABLE MUSEUM TO THE COUNTY OF COOK**

**WHEREAS**, the County of Cook (“County”) is the owner of certain real estate (the “Real Estate”) located at 1950 W. Polk Street, Chicago, Illinois, and now known as the Central Health Campus Professional Building (the “Property”); and

**WHEREAS**, the County’s Bureau of Asset Management, Department of Real Estate Management (“DREM”) seeks to display art at the Property to enhance the patient, visitor and employee experience; and

**WHEREAS**, the DuSable Museum of African American History (“DuSable”) wishes to loan a serigraph (the “Art”), also known as silk screening, created by African-American artist Wilmer James for display at the Property; and

**WHEREAS**, DuSable is dedicated to the study and conservation of African-American history, culture and art; and

**WHEREAS**, Ms. James was a ceramicist, print maker, commercial artist and prominent arts educator; and

**WHEREAS**, the County will support and further the mission of DuSable through the display of art from its collection; and

**WHEREAS**, DREM seeks to enter into a two (2) year Loan Agreement (“Agreement”), renewable for two (2) additional two (2) year periods, if agreed to in writing by both Parties, and unless terminated by either Party with ninety (90) day written notice; and

**WHEREAS**, DuSable will insure the art for the term of the Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Cook County Board of Commissioners, that Cook County is hereby authorized to enter into this Agreement.

Approved and adopted this 14th of November 2018.

TONI PRECKWINKLE, President  
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**COMMITTEE ITEMS REQUIRING BOARD ACTION**

**BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE**  
**MEETING OF NOVEMBER 13, 2018**

**18-6017**  
**ORDINANCE**

**Sponsored by**

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT,  
RICHARD R. BOYKIN AND JEFFREY R. TOBOLSKI, COUNTY COMMISSIONERS**

**WEST REGIONAL ENTERPRISE ZONE**

**AN ORDINANCE FOR THE ESTABLISHMENT OF AN ENTERPRISE ZONE IN THE  
VILLAGE OF BELLWOOD, THE VILLAGE OF BROADVIEW,  
THE VILLAGE OF MAYWOOD, THE VILLAGE OF MELROSE PARK AND COOK COUNTY,  
ILLINOIS SUBJECT TO THE ENTERPRISE ZONE ACT OF THE STATE OF ILLINOIS.**

**WHEREAS**, the State of Illinois Enterprise Zone Act, 20 ILCS 655/1 et seq., as amended (the “*Act*”) provides for the creation of enterprise zones to encourage private sector investments, stimulate business and industrial growth in economically distressed areas as well as neighborhood revitalization by relaxing government controls and tax incentives throughout the State; and

**WHEREAS**, the Village of Bellwood, the Village of Broadview, the Village of Maywood, the Village of Melrose Park (collectively, the “*Municipalities*”) and the County of Cook (the “*County*”), corporate bodies politic organized and existing under the laws of that State of Illinois, each have areas within their respective legal boundaries that are economically distressed with a disproportionate number of residents who have suffered pervasive poverty, unemployment and economic distress related to prolonged economic transformation, shifts of industries throughout the region, and a variety of other factors. These factors have negatively affected areas that would benefit from private sector investments within an Enterprise Zone; and

**WHEREAS**, these factors have negatively affected areas that would benefit from private sector investments with an Enterprise Zone; and

**WHEREAS**, the Municipalities and County seek approval and certification by the State of Illinois of the West Regional Enterprise Zone (hereafter referred to as “the Zone”); and

**WHEREAS**, if approved, businesses who are owned by minorities, women and persons with disabilities, as defined under the Business Enterprise for Minorities, Women and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.) shall be encouraged to participate within the Enterprise Zone incentive program to benefit them as business owners (“the Zone benefits”); and

**WHEREAS**, the Zone benefits include specific state incentives designed to encourage businesses in the private sector to locate or expand within an Enterprise Zone, subject to terms, conditions, rules and limitations in the law; and

**WHEREAS**, businesses using the Zone benefits will be encouraged to hire individuals who are minority persons, women and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.); and

**WHEREAS**, businesses using the Zone benefits will be encouraged to utilize other businesses that are minority-owned, women-owned, or owned by persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.); and

**WHEREAS**, it is determined that it is in the best interest of the citizens of the County and Municipalities to establish an Enterprise Zone and encourage private sector investments within said Enterprise Zone; and

**WHEREAS**, prior to filing an application for approval of the designation of an Enterprise Zone under the Act, it is required that the County and Municipalities adopt an Ordinance designating the proposed Enterprise Zone.

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 14 Community Development, Article X West Regional Enterprise Zone, Section 14-99 through 14-118 of the Cook County Code is hereby enacted as Follows:

## **Article X-West Regional Enterprise Zone**

**Sec. 14-99. Establishment of Enterprise zone and enterprise zone designation** - In accordance with the Act, in cooperation with the Village of Bellwood, the Village of Broadview, the Village of Maywood, the Village of Melrose Park and the County of Cook, said municipalities and the County hereby declare, establish, name and designate the West Regional Enterprise Zone (the "Enterprise Zone"); said Enterprise Zone is subject to and contingent on approval by the Illinois Enterprise Zone Board and certification by the Illinois Department of Commerce and Economic Opportunity.

**Sec. 14-100. Term** - The term of the Enterprise Zone shall commence upon certification and approval of the Illinois Department of Commerce and Economic Opportunity ("DCEO") and shall remain in effect for a period of fifteen (15) calendar years and is subject to review for an additional ten (10) year extension, prescribed under the Act.

**Sec. 14-101. Description of zone** - The area of the designated Enterprise Zone is described in Exhibit A - Boundaries of Enterprise Zone and depicted in Exhibit B - Map of Enterprise Zone, which exhibits are attached to this Ordinance and incorporated herein by reference, ("Zone Area").

**Sec. 14-102. Qualifications.** - The County and the Municipalities hereby declare and affirm that the proposed Zone Area is qualified for designation as an Enterprise Zone and further affirms and finds that:

- (a) The Zone Area is a contiguous area and entirely within the corporate limits of the County and Municipalities being the Enterprise Zone;
- (b) The Zone Area comprises an area larger than one-half (1/2) square mile and not more than fifteen (15) square miles in total area;
- (c) The Zone Area is a depressed area;
- (d) The Zone Area addresses a reasonable need to encompass portions of more than one (1) municipality and adjacent unincorporated areas of the County;

(e) The Zone Area exceeds the minimum requirement of meeting three (3) of the ten (10) criteria specified in the Act (20 ILCS 655/4 (f)) and any additional criteria established by DCEO;

(f) A public hearing was conducted pursuant to a notice duly published in a newspaper of general circulation, within the Zone Area, not more than twenty (20) days nor less than five (5) days before the hearing date on questions about whether or not to create the Enterprise Zone, what local plans, tax incentives and other programs should be established in connection with said Enterprise Zone and what the boundaries thereof should be; and

(g) The Zone Area meets the qualifications under Section 4 of the Act and satisfies any additional criteria stated in the Act or established by the Rules of DCEO.

All of the Findings are supported, sustained and consistent with the substantive materials contained in Exhibit C, attached hereto, and incorporated herein by reference.

**Sec. 14-103. Incentives.** The County and Municipalities offer incentives designed to encourage businesses in the private sector to locate or expand within an Enterprise Zone, subject to terms, conditions, rules and legal limitations in the law:

(a) *State sales tax exemption.* Pursuant to applicable law, the County and Municipalities authorize any retailer, as defined in the Retailers' Occupation Tax Act (35 ILCS 120.1 et. seq.) who makes a qualified sale of building materials to be permanently affixed and incorporated into real estate located within the Enterprise Zone, as amended from time to time, in connection with the expansion, rehabilitation or new construction of a qualified project may deduct receipts from such sale when calculating the tax imposed by the State, City, Village and County, pursuant to the Retailers' Occupation Tax Act; provided, however, that said deduction shall be allowed if and only if the retailer obtains from the purchaser an Enterprise Zone Building Materials Exemption Certificate (as that term is defined in the Act, the "Exemption Certificate"), which must contain the Exemption Certificate number issued to the purchaser by the Illinois Department of Revenue. Upon request from the Zone Administrator, the Illinois Department of Revenue shall issue an Exemption Certificate for each construction contractor or other entity identified by the Zone Administrator. The Illinois Department of Revenue shall make the Exemption Certificates available directly to the Zone Administrator and each construction contractor or other entity. The Department of Revenue shall issue the Exemption Certificate within three business days after receipt of request from the Zone Administrator. The Exemption Certificates shall be provided to the retailer at the time of sale and maintained by such retailer in its books and records for the purposes of documenting such deduction. Exemption Certificates shall be valid for twelve (12) months from the date of issuance; provided, however, that such Exemption Certificates may be extended for an additional twelve (12) months upon request to the Zone Administrator. Such requests for extension shall not be granted more than twice for any one project, and the requesting party must demonstrate good faith efforts to diligently pursue construction of the project.

(b) *State Enterprise Zone machinery and equipment consumables/pollution control facilities sales tax exemption.* A 6.25 percent state sales tax exemption on purchases of tangible personal property to be used in the manufacturing or assembly process or in the operation of a pollution control facility within an Enterprise Zone is available. Eligibility is based on a business making an investment in an Enterprise Zone of at least \$5 million in qualified property that creates a minimum of 200 full-time equivalent jobs, a business investing at least \$40 million in a Zone and retaining at least 2,000 jobs, or a business investing at least \$40 million in a Zone which causes the retention of at least 80 percent of the jobs existing on the date it is certified to receive the exemption.

(c) *State Enterprise Zone utility tax exemption.* A state utility tax exemption on gas, electricity and the Illinois Commerce Commission's administrative charge and telecommunication excise tax is available to businesses located in Enterprise Zones. Eligible businesses must make an investment of at least \$5 million in qualified property that creates a minimum of 200 full-time equivalent jobs in Illinois, an investment of \$20 million that retains at least 1,000 full-time equivalent jobs, or an investment of \$175 million that creates 150 full-time equivalent jobs in Illinois. The majority of the jobs created must be located in the Enterprise Zone where the investment occurs.

(d) *State Enterprise Zone investment tax credit.* A state investment tax credit of 0.5 percent is allowed a taxpayer who invests in qualified property in a Zone. Qualified property includes machinery, equipment and buildings. The credit may be carried forward for up to five (5) years. This credit is in addition to the regular 0.5 percent investment tax credit, which is available throughout the state, and up to 0.5 percent credit for increased employment over the previous year.

(e) *State contribution deduction.* Businesses may deduct double the value of a cash or in-kind contribution to an approved project of a Designated Zone Organization from taxable income as allowed under the Act.

**Sec. 14-104. Zone administration** - Upon designation as an Enterprise Zone by DCEO, a Zone Management Board (the "ZMB") shall be formed and comprised of one representative appointed by each municipality and County. The ZMB will be the governing body of the Enterprise Zone and will elect a chairman, create and appoint the position of Zone Administrator ("ZA") and will be responsible for all decisions within the Enterprise Zone that may include charging fees associated with the administration of the Enterprise Zone up to 0.5% (one half of one percent) of the cost of building materials of the project associated with the Enterprise Zone, provided that the maximum fee is no more than \$50,000, as permitted by the Act (20 JLCS 655/8.2 (c)). The Zone Administrator is responsible for the day-to-day operation of the Enterprise Zone including:

(a) Supervise the implementation of the provisions of the Enterprise Zone Intergovernmental Agreement and the Act.

(b) Act as a liaison between the County, Municipalities, DCEO, Designated Zone Organizations, and other State, Federal and local agencies, whether public or private.

(c) Conduct an ongoing evaluation of the Enterprise Zone Programs and submit evaluative reports to the ZMB.

(d) Promote the coordination of other relevant programs, including, but not limited to, housing, community and economic development, small business, financial assistance and employment training within the Enterprise Zone.

(e) Recommend qualified Designated Zone Organizations to the ZMB.

(f) Have other such duties as specified by the ZMB, including the appointment of authorized personnel as appropriate, to assure the smooth operation of the Enterprise Zone.

(g) The Zone Administrator shall file a copy of the Enterprise Zone's fee schedule with DCEO by April 1 of each year.

**Sec. 14-105. Enterprise zone goals** - The County and Municipalities hereby approve the following activities, which have been identified as initial goals of the Enterprise Zone:

- (a) To identify available sites and vacant or underused buildings for new or expanding businesses.
- (b) To market available sites and buildings on the economic development websites.
- (c) To assist businesses and Enterprise Zone residents in receiving available local, state, or federal economic development incentives and benefits.
- (d) To hold educational forums and programs for Enterprise Zone communities, businesses and residents to explain and promote program benefits and incentives.
- (e) To coordinate available and future economic development incentives within the Enterprise Zone.

**Sec. 14-106. Intergovernmental agreement** - The Enterprise Zone shall be governed, managed and operated in accordance with the Intergovernmental Agreement between the County and Municipalities as set forth in Exhibit D, which is attached hereto and incorporated into this Ordinance by reference. The chief elected official or designee of the County and Municipalities is hereby authorized to execute the Intergovernmental Agreement on behalf of the County and Municipalities and further authorized to sign all documents reasonably necessary in the furtherance of the Joint Application for said Enterprise Zone, to be filed with DCEO.

**Section 14-107. Creation of a Policy Statement for Development** - The Municipalities and County hereby establish the Enterprise Zone Policy Statement that expresses a desire for businesses within the Zone to commit to and encourage the development of business entities owned by minorities, women, and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.).

**Section 14-108. Creation of a Policy Statement for Hiring** - the Municipalities and County hereby establish the Enterprises Zone policy statement that expresses a desire and commitment from businesses to promote the hiring of individuals who are minority persons, women, and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.).

**Section 14-109. Creation of a Policy Statement for Using Other Businesses** - the Municipalities and County hereby establish the Enterprises Zone policy statement that expresses a desire and commitment from businesses to promote the utilization of other businesses that are minority-owned, women-owned, or owned by persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.).

**Section 14-110. Creation of a Database** - The Zone will create a database and list of local businesses that are owned by minorities, women, and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.). This information will be used as a matchmaking tool for Zone participants to diversify their subcontracting by utilizing businesses owned by minorities, women, and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.).

**Section 14-111. Publish and Distribute Promotional Materials** - The Zone will publish a brochure that will be provided to business owners within the Zone that explains the benefits of utilizing businesses owned by minorities, women, and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.).

**Section 14-112. Conduct Promotional Activities** - The Zone will conduct at least one public meeting each year to describe the Zone benefits for businesses owned by minorities, women, and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.).

**Section 14-113. Incorporate Promotional Statement** - The Zone will provide a statement on project applications, promotional materials, and Zone publications that the Zone encourages the use of businesses owned by and the hiring of minorities, women, and people with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et seq.).

**Section 14-114. Establish the Minority, Women and Persons with Disabilities Advocate** - The Zone will create the position of Minority, Women, and Persons with Disabilities Advocate to promote participation of firms and persons defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et. seq.).

**Section 14-115. Establish Participation Goals** - The Zone will establish annual goals and measurements of participation of firms and persons defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et. seq.) to determine the effectiveness of these efforts and how they might be revised to optimize their impact.

**Section 14-116. Incorporate Affidavits from Zone Participants** - The Zone will request that business applicants for Zone benefits submit a signed Affidavit about their efforts to promote and encourage the utilization of businesses that are owned by minorities, women, and persons with disabilities as defined under the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/0.01, et. seq.).

**Sec. 14-117. Severability** - This Ordinance and every provision thereof shall be considered severable and the invalidity of any Section clause, paragraph, sentence or provision of this Ordinance will not affect the validity of any other portion of this Ordinance.

**Sec. 14-118. Publication and effective date** - The County and Municipalities are hereby authorized to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect from its passage, approval and publication as required by law.

**Effective date:** This Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 14th of November 2018.

TONI PRECKWINKLE, President  
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**LEGISLATION AND INTERGOVERNMENTAL RELATIONS COMMITTEE**  
**MEETING OF NOVEMBER 13, 2018**

**18-6109 WAS DEFERRED AT THE NOVEMBER 14, 2018 BOARD MEETING**

**18-6109**

**Sponsored by:** RICHARD R. BOYKIN AND LARRY SUFFREDIN, Cook County Board of Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**AMENDING THE PROHIBITIONS ON SALE OR DISTRIBUTION OF TOBACCO PRODUCTS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 54 Licenses, Permits and Miscellaneous Business Regulations, Article V, Section 54-305 of the Cook County Code is hereby amended as follows:

**Sec. 54-305. Prohibitions on sale or distribution of tobacco products.**

(a) *Underage tobacco sales.*

- (1) No retailer may sell or distribute tobacco products to any person under ~~18~~ 21 years of age.
- (2) Each retailer shall request and examine the photographic identification of any person purchasing tobacco products so as to verify that the purchaser is ~~over 18 years of age~~ ~~21 years of age or older~~. No such verification is required for any person who appears without reasonable doubt to be over the age of 27.

**Effective date:** This ordinance shall be in effect June 1, 2019.

**ASSET MANAGEMENT COMMITTEE**  
**MEETING OF NOVEMBER 14, 2018**

**18-6236**  
**ORDINANCE**

**Sponsored by**

**THE HONORABLE TONI PRECKWINKLE,  
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS  
AUTHORIZING THE ACCEPTANCE OF REAL ESTATE FROM THE  
FOREST PRESERVE DISTRICT OF COOK COUNTY**

**WHEREAS**, the County of Cook, a body politic and corporate of the State of Illinois (“County”), is the owner of real estate located in Rosemont, Cook County, Illinois commonly known as the Rosemont Transit Center; and

**WHEREAS**, the Forest Preserve District of Cook County, an Illinois Special District (“District”), is the owner of real estate located in Rosemont, Cook County, Illinois, legally described on Exhibit A (“District Real Estate”), which is located adjacent to County holdings in Rosemont; and

**WHEREAS**, the County desires to obtain title to the District Real Estate from the District in connection with public improvements to be made at the Rosemont Transit Center; and

**WHEREAS**, the provisions of Article VII, Section 10 of the 1970 Illinois Constitution and the provisions of the Intergovernmental Cooperation Act, 5 ILCS 22/1 *et seq.* authorize and encourage the intergovernmental cooperation set forth in this Ordinance; and

**WHEREAS**, pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*, the District has duly adopted a Resolution, a copy of which is attached hereto as Exhibit B, which declares that the District is authorized by law to convey the title to the District Real Estate to the County by quit claim deed; and

**WHEREAS**, the Director of Real Estate Management for the County (“Director of Real Estate Management”) has advised the Board of Commissioners of Cook County (“Cook County Board”), and the Cook County Board so agrees, that the District Real Estate is desirable for County purposes; and

**WHEREAS**, the County Board, pursuant to its home rule and statutory authority, including the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.* adopts this Ordinance, by a vote of two-thirds or more of its members, which Ordinance authorizes the acceptance of the District Real Estate by the County.

**NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COMMISSIONERS OF COOK COUNTY, ILLINOIS AS FOLLOWS:**

**Section 1:**

The foregoing recitals are incorporated herein as findings of the Board of Commissioners of Cook County, Illinois.

**Section 2:**

The County Board determines that the acquisition of the District Real Estate from the District is in the public interest. The County Board hereby authorizes the acquisition of the District Real Estate from the District, by quit claim deed, for nominal consideration, for the public purpose of improving the Rosemont Transit Center in accordance with the County's authority. Such acquisition shall be by quit claim deed from the District subject only to restrictions, covenants and easements as shown of record.

**Section 3:**

The President of the Cook County Board of Commissioners and the Cook County Comptroller, or the Director of Real Estate Management are hereby authorized to execute and deliver any and all other documents or instruments and take any and all steps necessary or desirable to effectuate such conveyance.

**Section 4:**

This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

**Effective date:** This Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 14th of November 2018.

TONI PRECKWINKLE, President  
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**FINANCE COMMITTEE**  
**MEETING OF NOVEMBER 14, 2018**

**18-4207 WAS DEFERRED AT THE NOVEMBER 14, 2018 BOARD MEETING**

**18-4207**

**Sponsored by:** BRIDGET GAINER, RICHARD R. BOYKIN, JOHN A. FRITCHY, LARRY SUFFREDIN, JESÚS G. GARCÍA, LUIS ARROYO JR, JERRY BUTLER, DENNIS DEER, GREGG GOSLIN, EDWARD M. MOODY, STANLEY MOORE, SEAN M. MORRISON, TIMOTHY O. SCHNEIDER, PETER N. SILVESTRI, DEBORAH SIMS and JEFFREY R. TOBOLSKI, , Cook County Board of Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**AN ORDINANCE REQUIRING A FISCAL IMPACT NOTE FOR PENDING LEGISLATION**

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 - Administration, Article III. - County Board, Division I. -- Generally, Section 2-77 is hereby amended as follows:

**Section 2-77 Fiscal impact review.**

(a) *Short title.* This Section shall be known and may be cited as the Fiscal Impact Review Ordinance.

(b) *Impact note required.*

(1) Every measure before the County Board including, but not limited to, any ordinance, resolution, motion, contract approval, or any amendment thereto (collectively and individually "measure"), except those measures making a direct appropriation or approving a contract for a specified amount to be expended within one fiscal year, the purpose or effect of which is to expend any County funds or to increase or decrease the revenues of the County, or to require the expenditure of their own funds either directly or indirectly, shall have prepared for it a brief explanatory statement or note ("fiscal note") which shall include a reliable estimate of the probable impact of such measure upon the County's annual budget. The Cook County Chief Financial Officer shall prepare a fiscal impact statement for all ordinances or resolutions that propose to or would otherwise:

- i) expend any funds or increase or decrease the revenues of the County, either directly or indirectly; or
- ii) appropriate funds; or
- iii) increase or decrease existing appropriations; or
- iv) increase or decrease the fiscal liability of the County; or
- v) sell or lease any County asset, including revenue streams from that asset, if the anticipated revenue from the sale or lease of the asset is greater than \$5,000,000.00.

(2) If an ordinance authorizes capital expenditures or appropriates funds for capital expenditures, a fiscal note shall specify by year any principal and interest payments required to finance such capital expenditures. In addition, increased operational costs, by year, shall be specified. In no event shall a fiscal note be required to estimate out-year costs for more than five years.

(c) *Responsibility and deadline for furnishing the fiscal note.*

1. The Secretary of the Board chief sponsor of the item under consideration shall request, promptly after the introduction of the measure before the County Board, the Chief Financial Officer of the

County to prepare a fiscal ~~note~~ impact statement promptly after the introduction of the measure before the County Board setting forth the information specified in this Section regarding any measure.

2. The fiscal impact statement shall be provided to all Commissioners at least 72 hours prior to the consideration of the ordinance or resolution by the Board of Commissioners; provided a request by a Commissioner to prepare the fiscal impact statement is made earlier, the Chief Financial Officer shall prepare the fiscal impact statement and provide it to the Commissioner within 48 hours of such request.

~~(2)~~ (3) No measure may be called for a final vote by the County Board until delivery of the fiscal note according to the provisions of this Section, except that whenever, because of the complexity of the measure, additional time is required for the preparation of the fiscal note the Chief Financial Officer shall provide each member of the County Board and the President of the County Board with a statement of reasons why the fiscal note cannot be supplied in seven business days, and request an extension of time not to exceed five additional business days within which such fiscal note is to be furnished. Such extension shall be granted only with the consent of the majority of the members of the County Board and shall not extend beyond the end of the fiscal year in which the request was made. In no event may such extensions be used to unduly delay or hinder the consideration of the measure by the County Board. The County Board shall authorize the drafting of any rules of regulations which shall be subject to County Board approval, to ensure compliance with this Section.

~~(3)~~(4) In connection with the preparation of the fiscal note, all County officials and employees shall upon request cooperate with the Chief Fiscal Officer in providing information.

*(d) Form and content.*

1. The fiscal note shall be factual in nature, as brief and concise as may be, and shall provide as reliable an estimate, in dollars, as is possible under the circumstances. The fiscal note shall include both the immediate effect, and if determinable or reasonably foreseeable, the long-range effect of the measure.
2. If, after careful investigation it is determined that no dollar estimate is possible, the fiscal note shall contain a statement to that effect, setting forth the reasons why no such estimate can be given. A brief summary or work sheet of computations used in arriving at the fiscal note figures shall be included.

*(e) Preparation of fiscal note.*

1. No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the fiscal note is prepared; however, technical or mechanical defects may be noted.
2. The work sheet shall include, insofar as practicable, a breakdown of the costs upon which the fiscal note is based. Such breakdown shall include, but need not be limited to, costs of personnel, materials and supplies, and capital outlay. The fiscal note shall also include such other information as is required by the rules and regulations which may be promulgated by the County Board with respect to the preparation of such fiscal notes. The fiscal impact statement shall, to the degree possible, consist of an estimate in dollars of the anticipated change in revenue, expenditures, or fiscal liability under the provisions of the ordinance or resolution. It shall also include a statement as to the immediate effect and, if determinable or reasonably foreseeable, the long-range effect of

the measure. If after investigation, it is determined that no dollar estimate is possible, the fiscal impact statement shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. The fiscal impact statement shall include an explanation of the basis or reasoning on which the estimate is founded, including all assumptions involved. A copy of the fiscal note shall be delivered to each member of the Board and the President of the County Board, according to the provisions of subsection (b) of this Section.

3. The original of the fiscal note and the work sheet shall be signed by the Chief Financial Officer or such person as the Chief Financial Officer may designate.

(f) *No restrictions on committee testimony.* The fact that a fiscal note is prepared for any measure shall not preclude or restrict the appearance before any committee of the County Board, of any official or authorized employee of any County commission, department, agency or other entity who desires to be heard in support of or in opposition to the measure.

**Effective date:** This ordinance shall be in effect immediately upon adoption.

## **NEW ITEMS**

**18-6982 WAS WITHDRAWN AT THE NOVEMBER 14, 2018 BOARD MEETING**

**18-6982**

**Sponsored by:** LARRY SUFFREDIN, Cook County Board of Commissioners

**PROPOSED ORDINANCE AMENDMENT**

**AN ORDINANCE INCREASING THE GIS FEE**

**BE IT ORDAINED** by the Cook County Board of Commissioners, that Chapter 2 - ADMINISTRATION, ARTICLE IV, OFFICERS AND EMPLOYEES, DIVISION 3, RECORDER OF DEEDS, Subdivision II - Fees, Section 2-214 GIS fee. be amended as follows:

**Sec. 2-214. - GIS fee.**

(a) The terms used in this Section shall have the meanings set forth below:

*Additional charge* is a charge as set out in Section 32-1, which is added to the existing fees imposed by the County Recorder for the filing of every instrument, paper, or notice of record.

*Countywide map* is a parcel-based map of the County which includes all the supporting Geographic Information System.

*Geographic information system* is an organized collection of computer hardware, software, and geographic data designed to efficiently capture, store, update, manipulate, analyze, and display all forms of geographically referenced information.

(b) The charge will be distributed as follows:

(1) Twelve dollars will be deposited into a distinct fund set up by the County Bureau of Technology. These monies will be used solely to finance equipment, materials, and other necessary expenses incurred in implementing and maintaining a geographic information system.

(2) Three dollars will be deposited by the Recorder pursuant to 55 ILCS 5/3-5005.4 (deposit of fee income-special funds)

(3) Three dollars will be deposited into the Cook County Assessor's Special Revenue Fund, as established in Section 2-317 of the Cook County Code.

(4) Two dollars will be deposited into the Cook County Clerk's Automation Fund, as established in Section 2-173 of the Cook County Code.

**BE IT FURTHER ORDAINED**, by the Cook County Board of Commissioners, that Chapter 32 - FEES, Section 32.1 Fee Schedule, be amended as follows:

The fees or charges provided for or required by the below-listed sections shall be as shown below:

\*\*\*

2-214

GIS fee, additional charge

~~15.00~~20.00

\*\*\*

**Effective date:** This ordinance shall be in effect immediately upon adoption.